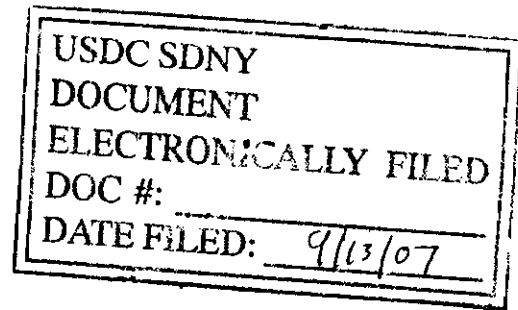


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- -x
ASHLEY SHAKIM,

Plaintiff,

- against -

DEPARTMENT OF CORRECTION,
CORPORATION COUNSEL, C.O.'s
BARKSDALE, TYRONE, REYES, and CAPT.
SALLEY,

Defendants.
----- -x

ORDER


07 Civ. 2827 (DC)

CHIN, D.J.

Plaintiff commenced this action on April 09, 2007, by filing a complaint, at which time a summons was issued. More than 120 days have elapsed since the action was commenced, and plaintiff has failed to file an affidavit of service with the Court attesting to service of the summons and complaint on the defendants. Accordingly, this action will be dismissed without prejudice unless plaintiff, within thirty days from the date of this order, that is, on or before October 15 2007, either (1) files proof of service with the Clerk of the Court, or (2) shows cause in writing why a further extension of the time limit for service is warranted. See Fed. R. Civ. P. 4(m).

SO ORDERED.

Dated: New York, New York
September 13, 2007


DENNY CHIN
United States District Judge